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**TELEFACSIMILE TRANSMISSION TO U.S. PATENT & TRADEMARK OFFICE**

Name of Sender: Julius C. Fister, III

September 23, 2003

Pages (including this page) 2

Our Reference: 8932-296

Name/ Title of Recipient	Department/ Company	Facsimile Number	Your Reference
Examiner Shengjun Wang.	USPTO	(703) 872-9307	09/769,404

Confirmation Copy Will Not follow.

U.S. Application of:

Application of: T. WALLIMANN et al.

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Serial No.: 09/769,404

Art Unit: 1617

SEP 26 2003

Filed: January 26, 2001

Examiner: S. Wang

For: METHODS OF TREATING  
BONE OR CARTILAGE  
CONDITIONS BY THE  
ADMINISTRATION OF  
CREATINE

Attorney Docket No: 8932-296

OFFICIAL

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46,702  
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PTO/SB/20 (5/2000)

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# REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000,  
provides for continued examination of an utility or plant application  
filed on or after June 8, 1995.

See The American Inventors Protection Act of 1999 (AIPA).

Express Mail No.	
Application Number	09/769,404
Filing Date	January 26, 2001
First Named Inventor	T. WALLIMANN et al.
Group Art Unit	1617
Examiner Name	S. Wang
Attorney Docket No.	8932-296

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

**NOTE:** 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53 (d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

## 1. Submission required under 37 C.F.R. § 1.114

- a. ☒ Previously submitted
- i. ☒ Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on June 25, 2003  
(Any unentered amendment(s) referred to above will be entered).
- ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed \_\_\_\_\_
- iii. ☐ Other \_\_\_\_\_
- b. ☐ Enclosed
- i. ☐ Amendment/Reply
- ii. ☐ Affidavit(s)/Declaration(s)
- iii. ☐ Information Disclosure Statement (IDS)
- iv. ☐ Other \_\_\_\_\_

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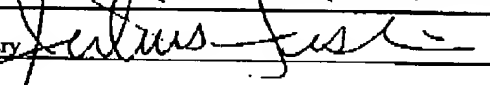
## 2. Miscellaneous

- a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of \_\_\_\_\_ months.  
(Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(f) required)
- b. ☐ Other \_\_\_\_\_

## 3. Fees

- The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed
- a. ☒ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Pennie & Edmonds LLP Deposit Account No. 16-1150:
- i. ☒ RCE fee required under 37 C.F.R. § 1.17(e), estimated to be \$ 750.00
- ii. ☐ Extension of time fee required under 37 C.F.R. §§ 1.136 and 1.17, estimated to be \$ \_\_\_\_\_ for a \_\_\_\_\_ month extension, the request for which is being made herewith
- iii. ☐ Other \_\_\_\_\_
- b. ☐ Check in the amount of \$ \_\_\_\_\_ enclosed
- c. ☐ Payment by credit card (Form PTO-2038 enclosed)

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print/Type)	Julius C. Fister, III For Brian M. Rothery	Registration No. (Attorney/Agent)	46,702 35,340
Signature		Date	September 23, 2003

## CERTIFICATE OF MAILING OR TRANSMISSION

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Name (Print/Type)		Registration No. (Attorney/Agent)	
Signature		Date	

DCI: 356259.1